

Message

From: Oropallo, Michael A. [MOropallo@barclaydamon.com]
Sent: 1/2/2018 5:42:36 PM
To: Hayden, Melva [Hayden.Melva@epa.gov]
CC: Guster, Edward [Guster.Edward@epa.gov]; Thomas, Derval [Thomas.Derval@epa.gov]; Voo, Leonard [Voo.Leonard@epa.gov]; Sawyer, William [Sawyer.William@epa.gov]
Subject: RE: I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301 [IWOV-ACTIVE.FID1716645]

Good day Ms. Hayden,

And a Happy New Year to everyone.

I have spoken to the Club and they are diligently working on an alternative plan, and one that I believe is a preferred option. An application has been submitted to the Town, and we expect to hear back soon on its status.

In the interim, responses to your questions are set forth below in green.

Thank you for your time and attention.

Mike

Michael A. Oropallo

Partner

BARCLAY DAMON LLP

Barclay Damon Tower • 125 East Jefferson Street • Syracuse, NY 13202

D: (315) 425-2831 • F: (315) 703-7367 • C: (315) 729-0602

E: MOropallo@barclaydamon.com

barclaydamon.com • [vCard](#) • [Profile](#)

This electronic mail transmission is intended only for the use of the individual or entity to which it is addressed and may contain confidential information belonging to the sender which is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by e-mail and delete the original message.

From: Hayden, Melva [mailto:Hayden.Melva@epa.gov]
Sent: Friday, December 15, 2017 6:53 PM
To: Oropallo, Michael A.
Cc: Guster, Edward; Thomas, Derval; Voo, Leonard; Sawyer, William
Subject: I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301

Dear Mr. Oropallo,

This email communication is in response to your November 20, 2017 email, in which you proposed that EPA delay holding a teleconference until after the holidays (i.e., until January) to discuss EPA's concerns regarding the Club's delayed compliance with the Order.

Please be advised that I have discussed your proposal with Ed Guster, my program client, and our respective managers. EPA's managers are concerned with further delaying the teleconference call while the Club continues to put lead shot into the nearby Salmon Creek and wetlands area near the shooting ranges. Hence, EPA is anxious to move the Club's compliance with the Order along.

That being said, shortly, I will provide you with proposed dates and times EPA representatives will be available to schedule the requested teleconference call with you and Club representatives. However, in the meantime, EPA requests that the Club provide and/or advise EPA with the following information as soon as possible, **but no later than January 8, 2018:**

1) What is the current status of the Club's discussions/negotiations with the Town? What is the Club's alternative option to address and prevent lead shot from going into Salmon Creek and the nearby sensitive wetlands area since the previous option is no longer feasible. As noted above, the Club has been involved in a conceptual review of its plans with the Town to reconfigure the trap fields in a direction that mitigates any impacts to the Creek. Essentially, trap fields will be relocated across the Creek and in the area currently occupied by the rifle and pistol range. The application has been submitted and approval is pending. The shot curtain option remains in the unlikely event the application is not approved.

2) Did the Club submit a permit application? We understand from Ed Guster's September 13, 2017 site visit, the Club is pursuing a different option and seeking a permit instead of the shot curtain option the Club previously agreed upon under the Order, prior to the flooding. If so, please provide EPA with a copy of the permit application. Yes. The application is voluminous. In order to assure its receipt by EPA, please provide us with a site to transmit a copy of the application electronically, or an address where a hard copy can be sent.

3) Please revise the Club's previously submitted Environmental Stewardship Plan (ESP). EPA will determine if public participation is required due to revision to the ESP. We suggest waiting for approval of the application before doing so in order to minimize multiple revisions. Unless directed otherwise, the Club will revise the ESP within a reasonable time after approval. In the interim, the application should provide the necessary details.

We look forward to timely receipt of the above requested information and status report on the Club's actions taken to date to address prevention of lead shot continuing to go into Salmon Creek and the nearby wetlands area. Best regards for the Holidays.

Sincerely,

Melva J. Hayden

Melva J. Hayden, Esq.
Assistant Regional Counsel
Region 2 Title VI Coordinator
Office of Regional Counsel
U.S. EPA - Region 2
290 Broadway - 16th Floor
New York, NY 10007-1866
212-637-3230 (EPA Office)
212-637-3202 (EPA Fax)
718-712-5674 (Alternate Work Location Number)

Thank you.